

**Exhibit #12 - “7.31.24 Petitioner Letter Re
Cancellation of Meet and Confer Without
Notice**

31 July, 2024

VIA EMAIL

Howard C. Edelman
Hon. Dennis Cavanaugh
Michael G. Berger
American Arbitration Association
120 Broadway
New York, NY 10016
cc: Ms. Heather Santo / Ms. Michele Gomez

Re: AAA Case No. 01-16-0001-7288

Arbitrators Cavanaugh, Edelman, and Berger:

Twenty-one (21) days ago the full AAA Panel ‘Ordered’ all Parties to meet-and-confer at 2 p.m. July 11th on a host of outstanding issues including the production of compelled, Panel-ordered discovery, acknowledged deficiencies in The Fox Parties’ and William Shine’s production, the turn-over of long (wrongfully) withheld Fox electronic devices, and scheduling of depositions.

Exactly 502 hours, 54 minutes after the original ‘Order’ was given, the Panelists all miraculously had sudden, simultaneous epiphanies that the Panel-ordered “differences between The Parties” meet-and-confer should be immediately cancelled... only one hour and six minutes prior to the call commencing...and less than forty five minutes (45) after Claimant Tantaros re-circulated communications regarding a dial-in and meeting agenda to The Fox Parties et al, and following their willful decision to ignore prior communications from Claimant Tantaros regarding the Panel-ordered meet-and-confer.

The Panel’s seemingly inorganic, late-hour intervention to stop the call between the Parties and stall the proceedings is not only morally and ethically questionable raising issues of ex-parte communications between the AAA and The Fox Parties, eliciting previous concerns of bias, but also constitutes a legally unprecedented, unconscionable and unjustifiable move on behalf of the Panel.

The concern is heightened by The Fox Parties and William Shine’s pleading with the Panel during the June 21, 2024 Hearing to forestall any meet-and-confer regarding discovery of which the Panel is well-aware. Additionally, the Panel granted the Fox Parties a three-week extension for the Hearing after counsel for Fox News Network and The Fox Parties, Paul Evans, alleged he had a conflict without any explanation or substantiation. In the Panel’s May 24, 2024 Order, it stated very clearly that no excuses were permitted (absent “serious illness”). Twice, since that order was issued Fox News and the Fox Parties have sought immediate relief that was granted by this Panel in the form of delay or cancellation with no verified serious illness.

What was once only a ‘whiff’ of inappropriate bias by this Panel, and the AAA, toward a longtime, large-income generating client, FoxNews/FoxCorp, has now definitively turned to a full-on ‘stench’ of inappropriate, biased, and prejudicial behavior in support of FoxNews/FoxCorp, and will no longer be tolerated.

I write this day, July 31, 2024, as the panel has had a similar time period (more than 500 hours) with which to write decisions that accompany all panel Orders - as is contractually required in the arbitration clause of my Employment agreement with Fox News Network, exactly how they reached the decision to cancel the ordered meet and confer - leading to a bizarre, unprecedented 11th hour ‘rescue’ of Fox News from having to provide necessary access to the damning evidence against them left remaining... after an almost 99% spoliation of digital and other evidence that occurred immediately following Complainant Tantaros’ being suspended by Fox News in 2016.

To date Fox Parties have still NOT amended their illegal gag-order to comply with New York State law governing the ‘silencing’ of Sexual Harassment/Hostile Workplace victims, despite Complainant Tantaros’ efforts to resolve any concerns regarding the production of confidential material. In the eighth year of litigation/arbitration, Tantaros has not breached any confidential information to date.

Further, Counsel for Fox News Network and the Fox Parties (Evans) is completely mistaken regarding the state of the investigation of the two stolen electronic devices now being sought by the Toronto Police Department. Detectives HAVE been assigned to the case, and it IS moving forward. Because Mr. Evans AND his law firm have been named likely accomplices in the illegal withholding / theft of my devices, he has no ability to access details in the case. Any further remarks by Evans specific to this case should be considered creative fiction, and the Panel will receive regular updates and proof of investigation progress.

It would be important to again note that the Fox parties and Fox News have already ADMITTED to the criminal hacking and deleting (“wiping”) of ALL extremely critical data on one of Tantaros’ devices in question (already in your possession). Forensic evidence corroborating same has been submitted to the Panel along with two letters confirming Fox News failure to assert a privilege hold until September 5, 2016—five months after initiating this arbitration—and thus admittedly destroying critically-relevant evidence.

Further, Arbitrator Edelman gave express permission for Claimant Tantaros’ request to pursue reciprocal discovery of the Fox Parties’ electronic devices during the June 20, 2024 Hearing before a minimum of ten witnesses. Arbitrator Edelman also assured the Parties that “Hearings will definitely take place” during the hearing and in writing as the Panel concluded in its Order of May 24, 2024 “Litigants are entitled to their day in court, i.e. to have the merits of their complaints heard.” “We note Tantaros’ assertion that Fox et al has failed to comply with various Panel orders. To the extent that this is so, its adherence to them is as necessary as Tantaros’ and we reserve judgment as to the consequences of its failure to do so... Finally, and to further expedite the process, the Panel directs the Parties to confer as to an appropriate discovery schedule.”

The Fox Parties have conceded during the June 20, 2024 Hearing and the September 7, 2023 Hearing they have failed to follow Panel Orders for *five years* regarding discovery production. Their recent flouting of Panel Orders to meet-and-confer on discovery and depositions, groveling to have the Panel cancel a Panel-ordered meet-and-confer on July 12, 2024 underscores Fox News and William Shine as the delayers to this action and amplifies their contemptuous, sanctionable conduct as they are desperate to avoid their day in court and the merits of their and Ms. Tantaros' complaints properly heard.

To be clear, there is no 'third' phone that Evans continues to harp upon; only a third 'number' attached to the same device.

Regardless, following your cancellation of the Meet and Confer, the Fox parties have fallen back to their same, stale, groundless 'false narrative' lawfare argument, introducing nothing that precludes their prompt and proper turnover of evidence and scheduling depositions of the Fox parties, and others, and merely consists of foot-stomping, finger pointing tactics of projection at Claimant Tantaros while failing to comply with Panel orders and proper discovery requests served upon them.

In summary, Fox News and the Fox Parties have been allowed to continue these tactics unabated for **SIX YEARS**. Given that Fox News is legally precluded by the NYCCHR from utilizing this body as a method of resolving Sexual Harassment and Hostile Workplace litigation through (minimally) late 2025, should this Panel not see fit to move equitably and immediately forward, Tantaros' reserves all rights afforded her by Federal, State and New York City law to conclude this action in a completely unbiased and timely manner.

Justice delayed is justice denied.

Respectfully submitted,

_____/s/_____
Andrea K. Tantaros